

## LEGAL REPRESENTATIVES OF G. B. STIMPSON.

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APRIL 23, 1904.—Committed to the Committee of the Whole House and ordered to be printed.

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Mr. GRAFF, from the Committee on Claims, submitted the following

### REPORT.

[To accompany S. 705.]

The Committee on Claims, to whom was referred the bill (S. 705) for the relief of the legal representatives of G. B. Stimpson, having considered the same report thereon with a recommendation that it pass.

The bill has the approval of the Post-Office Department, as will appear by the following communication:

POST-OFFICE DEPARTMENT,  
OFFICE OF THE POSTMASTER-GENERAL,  
*Washington, D. C., November 23, 1903.*

SIR: I beg to acknowledge receipt of your communication of the 19th instant, inclosing copy of S. 705, a bill "for the relief of the legal representatives of G. B. Stimpson," with request that such information as may be on file in the Post-Office Department pertaining to the same be furnished, together with my recommendation in the premises. In reply, I have the honor to inclose herewith a copy of a letter, dated April 9, 1902, on this subject to Hon. John H. Mitchell, United States Senate. As the status of the case is the same now as it was at the time that letter was written, I see no reason for changing in any way my recommendations made therein.

Very respectfully,

H. C. PAYNE, *Postmaster-General.*

HON. BOIES PENROSE,  
*United States Senate.*

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POST-OFFICE DEPARTMENT,  
OFFICE OF THE POSTMASTER-GENERAL,  
*Washington, D. C., April 8, 1902.*

DEAR SIR: I have your letter of the 3d instant, inclosing Senate bill 1483, for the relief of the legal representatives of G. B. Stimpson, requesting a statement "whether in the judgment of the Department any amount is due Stimpson for clerk hire allowed him which he never received; if so, for what period and at what rate," and "whether anything is due him, in the judgment of the Department, for services rendered or expenses incurred while serving as postmaster at South Pueblo, Colo., and if so, what expenses and when expended."

The facts in the case are as follows: The post-office at South Pueblo, Colo., became a second-class office on July 1, 1882. At the time the office became second class there was an allowance of \$100 per annum for clerk hire for separating service. This

allowance was increased to \$1,400 per annum to take effect October 1. The office was thus without adequate allowance for clerk hire from July 1, 1882, to September 30, 1882, inclusive.

The law which covered allowances at that time provided that the Postmaster-General could—

“Allow to the postmasters at offices of the first and second classes out of the surplus revenue of their respective offices—that is to say, the excess of box rents and commissions over and above the salary assigned to the office—a reasonable sum for the necessary cost of rent, fuel, light, furniture, stationery, printing, clerks, and necessary incidentals, to be adjusted on a satisfactory exhibit of the facts, and no such allowance shall be made except upon the order of the Postmaster-General.”

Although the office at South Pueblo was entitled to a reasonable allowance for clerk hire from July 1, 1882, for some reason the order fixing the allowance was not made until December 13, 1882, and instead of making the allowance effective from July 1, the order fixed the date as October 1, 1882, at the rate of \$1,400 per annum. It will thus be seen that the post-office at South Pueblo was without an adequate allowance for clerk hire from July 1, 1882, to September 30, 1882, inclusive. I am therefore of the opinion that the claim for allowance for clerk hire for this one quarter is just. The claim for other expenses is not so clear.

The amount, however, should be reduced to \$325, as the postmaster received \$25 clerk hire for the quarter ended September 30, 1882, the former allowance of \$100 for separating clerk hire having been continued during the quarter and increased to \$1,400 from October 1, 1882. This would make the allowance for the quarter ended September 30, 1882, at the same rate for the balance of the fiscal year.

The Department is unable to make any report as to the other expenses, as all of the correspondence with the postmaster, the clerk-hire accounts, and vouchers for the period named have been destroyed.

In compliance with your request all the papers in the case are herewith returned.

Very respectfully,

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*Postmaster-General.*

HON. JOHN H. MITCHELL,  
*United States Senate.*